

**Notice of Allowability**

Application No.

10/715,855

Examiner

Thu Nguyen

Applicant(s)

KUBICA, FRANCOIS

Art Unit

3661

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the appeal brief filed on December 18, 2006 and the enclosed examiner's amendment.
2. ☒ The allowed claim(s) is/are 1-6, 8-10, 12-17, 19-25, 27-29 (now renumbered as claim 1-25).
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☒ Certified copies of the priority documents have been received in Application No. 09/863,894.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application   |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>4/14/07</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance                        |
|  | 9. <input type="checkbox"/> Other _____.  |

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Edward Tracy (Reg. No. 47,998) on April 12, 2007. The application has been amended as follows:

In the claim:

- a. Please cancel claim 7, 18, 26.
- b. Replace claims 1, 8-10, 12, 21, 27-29 with the following:

Claim 1 (Currently Amended): A system for operating an aircraft, comprising:

a navigation computer comprising:

a first input configured to receive guidance instructions including heading, vertical speed, and altitude,

a second input configured to receive guidance parameters, and

an output configured to output automatic pilot instructions computed by said navigation computer from said guidance instructions;

a flight control computer comprising:

a first input configured to receive control instructions,

a second input configured to receive said automatic pilot instructions, and

a command generator configured to generate a first plurality of operating commands based on said automatic pilot instructions in an automatic pilot mode; and

a dedicated communication link configured to transmit the automatic pilot instructions from the navigation computer to the flight control computer,

wherein said automatic pilot instructions correspond in nature to said control instructions.

Claim 8 (Currently Amended): The system of Claim 1, wherein said automatic pilot instructions and said control instructions correspond to a commanded vertical load factor.

Claim 9 (Currently Amended): The system of Claim 1 wherein said automatic pilot instructions and said control instructions correspond to a commanded roll rate.

Claim 10 (Currently Amended): The system of Claim 1, wherein said automatic pilot instructions and said control instructions correspond to a commanded yaw.

Claim 12 (Currently Amended): A system for operating an aircraft, comprising:  
a navigation computer comprising:  
means for receiving guidance instructions including heading, vertical speed,  
and altitude,

means for receiving guidance parameters, and  
means for outputting automatic pilot instructions computed by said  
navigation computer from said guidance instructions; and  
a flight control computer comprising:  
means for receiving control instructions,  
means for receiving said automatic pilot instructions, and  
means for generating a first plurality of operating commands based on said  
automatic pilot instructions in an automatic pilot mode; and  
dedicated communication means for transmitting the automatic pilot instructions from  
the navigation computer to the flight control computer,  
wherein said automatic pilot instructions correspond in nature to said control  
instructions.

Claim 21 (Currently Amended): A system for operating an aircraft, comprising:  
a navigation computer configured to receive guidance instructions and parameters,  
and to output automatic pilot instructions;  
a flight control computer configured to receive control instructions and said automatic  
pilot instructions, and to generate a first plurality of operating commands  
based on said automatic pilot instructions in an automatic pilot mode; and  
a dedicated communication link configured to transmit the automatic pilot instructions  
from the navigation computer to the flight control computer,  
wherein said automatic pilot instructions correspond in nature to said control  
instructions.

Claim 27 (Currently Amended): The system of Claim 21, wherein said automatic pilot instructions and said control instructions correspond to a commanded vertical load factor.

Claim 28 (Currently Amended): The system of Claim 21, wherein said automatic pilot instructions and said control instructions correspond to a commanded roll rate.

Claim 29 (Currently Amended): The system of Claim 21, wherein said automatic pilot instructions and said control instructions correspond to a commanded yaw.

#### **Reasons for allowance**

2. The following is an examiner's statement of reasons for allowance:

Prior art of record do not disclose a system for operating an aircraft taught in claim 1. In the system, the navigation computer outputs automatic pilot instructions to the flight control computer, the automatic pilot instructions correspond in nature to the control instructions; the flight control computer generates a first plurality of operating commands based on the automatic pilot instructions in an automatic pilot mode. Claims 12 and 21 disclose a system for operating an aircraft including the inventive features disclosed in claim 1.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the

Art Unit: 3661


issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Nguyen whose telephone number is (571) 272-6967. The examiner can normally be reached on T-F (7:30-6:00):

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black can be reached on (571) 272-6956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

April 14, 2007

  
**THU V. NGUYEN**  
**PRIMARY EXAMINER**